

2098628

8298602  
07/22/2002 11:15 AM 18.00  
Book - 8622 Pg - 3816-3820  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
SALT LAKE TITLE  
BY: SLH, DEPUTY - WJ 5 P.

After recording return to:  
Clark W. Sessions, Esq.  
201 South Main, 13th Floor  
Salt Lake City, Utah 84111

EASEMENT AND AGREEMENT

This Easement and Agreement is made, entered into and is effective as of the 28<sup>th</sup> day of June 2002, by and between Patricia H. Falk and Ralph Falk II, of Salt Lake County, State of Utah (collectively "Grantors") and Deerwood Farms, LC with its principal place of business in Salt Lake County, State of Utah ("Grantee"). The parties hereto agree as follows:

1. Grant of Easement. In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors hereby grant and convey to the Grantee an easement on and over that certain parcel of real property located in Salt Lake County, State of Utah, and more particularly described on Exhibit A attached hereto and by this reference incorporated herein and made a part hereof ("Subject Property").

2. Purpose. The easement granted hereby shall be perpetual, and permanent and is for the purpose of the construction, erection and maintenance by the Grantee of a wall on the Subject Property,

BK8622PG3816

the design, configuration and location of which on the easement granted hereby shall be consistent with the existing wall on the north/front side of Grantee's property and shall be erected and constructed at the sole cost and expense of the Grantee at a time determined by the Grantee within a 10 year period of the date of this easement.

3. Maintenance. The Grantee shall be responsible for the repair and maintenance of the wall or fence hereinabove described and the Grantors and their successors held harmless therefrom.

4. Binding Effect. The easement granted hereby shall run with the land and shall be binding on and shall inure to the benefit of the parties to this agreement, their respective heirs, successors or assigns.

5. Interpretation. This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Utah.

6. Entire Agreement. This Agreement shall constitute the entire agreement between the parties hereto and any and all prior understandings or representations of any kind are incorporated herein and made a part hereof.

7. Modification. Any modification of this agreement or the easement granted hereby shall be binding only if evidenced by a writing signed by each of the parties or an authorized representative of each party.

IN WITNESS WHEREOF, the parties hereto have caused this Easement and Agreement to be executed in the year and day first-above written.

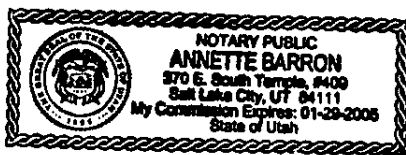
GRANTOR:

*Patricia H. Falk*

PATRICIA H. FALK

STATE OF UTAH )  
:SS.  
COUNTY OF SALT LAKE )

On the 28<sup>th</sup> day of June, 2002, personally appeared before me PATRICIA H. FALK, the signer of the within instrument, who duly acknowledged to me that she executed the same.



*Annette Barron*  
Notary Public

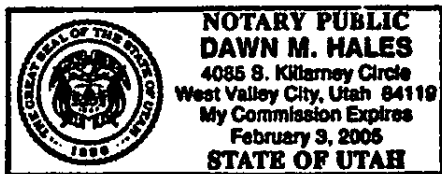
GRANTOR:

*Ralph Falk II*

RALPH FALK II

STATE OF UTAH )  
 :SS.  
COUNTY OF SALT LAKE )

On the 28th day of JUNE, 2002, personally appeared before me RALPH FALK II, the signer of the within instrument, who duly acknowledged to me that he executed the same.



*Dawn M. Hales*  
Notary Public

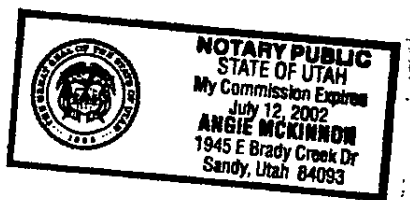
GRANTEE:

DEERWOOD FARMS, LC

By *[Signature]*  
Its Manager

STATE OF UTAH )  
 :SS.  
COUNTY OF SALT LAKE )

On the 2d day of July, 2002, personally appeared before me Ronald C. Gunnell, the Manager of Deerwood Farms, LC, who duly acknowledged to me that he executed the foregoing Easement and Agreement on behalf of said entity pursuant to its Operating Agreement, Bylaws, Resolution, or other valid authority.



*[Signature]*  
Notary Public

**EXHIBIT A**

Beginning at a point which is North 00°15'49" West 672.43 feet and North 00°11'36" East 647.97 feet from the Southeast corner Section 15, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 89°44'01" West 408.55 feet; thence South 89°22'58" West 634.99 feet; thence North 0°24'29" West 3.50 feet; thence North 89°31'13" East 1043.57 feet; thence South 0°11'36" West 3.50 feet.

Contains 2,859 square feet.